



— City of —  
**Melville**

**REPORTS AND RECOMMENDATIONS**

**FROM THE**

**DEVELOPMENT ADVISORY UNIT**

**MEETING**

**HELD ON**

**15 APRIL 2008**

- NOTES:**
1. This Meeting makes Recommendations to the Manager Planning & Development Services.
  2. Should any Elected Member want any matter referred and considered by the Council, please contact the Manager Planning & Development Services prior to the Tuesday (or Wednesday if Monday is a public holiday) following the date of this Meeting.
  3. Unless 'called in' by an Elected Member it is expected that the Manager Planning & Development Services will after the 'call in' date approve the recommendations, refer the matter to the Council or back to the Development Advisory Unit for further considerations.

**DISTRIBUTED: 18 APRIL 2008**



— City of —  
**Melville**

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**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT  
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,  
BOORAGOON, COMMENCING AT 1:30PM ON TUESDAY 15 APRIL 2008**

**PRESENT**

D Vinicombe (Presiding Member)  
J Gonzalez  
T Capobianco  
D Monteiro  
R Jessup  
R Bailey

Manager Planning & Development Services  
Planning Services Coordinator  
Principal Building Surveyor  
Environmental Health Officer  
Senior Horticultural Technical Officer  
Technical Officer

**APOLOGIES**

**IN ATTENDANCE**

**OBSERVERS**

**DISCLOSURES OF INTEREST**

**ELECTED MEMBERS' ATTENTION**

Nil

**DELEGATED AUTHORITY – PLANNING POLICY (1) 2**

**The following items are recommendations to the Manager Planning & Development Services for decision.**

## DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

### Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### Meeting to be informed of disclosures

**S.5.66** If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### Disclosing members not to participate in meetings

**S.5.67** A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**

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Ward	:	City
Category	:	Operational
Application Number	:	DA-2007-1663
Property	:	Lot 150 (274-280) Leach Highway Booragoon
Proposal	:	One illuminated fascia sign, one illuminated horizontal sign and one illuminated vertical sign
Applicant	:	Focus on Signs
Owner	:	Primewest (Hometown Melville) Pty Ltd
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Mr David Vinicombe Manager Planning and Development Services
Previous Items	:	See Background

**AUTHORITY / DISCRETION**

- Quasi-Judicial *when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**KEY ISSUES / SUMMARY**

- The application is for planning approval for one illuminated fascia sign (south façade), one illuminated horizontal sign (fixed to window mullion above Fitness First entry) and one illuminated vertical sign (fixed to column of building above Fitness First entry) signage on Lot 150 (274-280) Leach Highway Booragoon.
- The proposed signage is different to the approved sign strategy on the site.
- The proposed signage will not create an adverse traffic impact and will not have an adverse impact on amenity.
- It is recommended that the proposed signage be supported.

**BACKGROUND**

The Council has issued a planning approval (DA-2006-325/A) dated 1 June 2006 for a sign strategy on the site.

The proposed illuminated horizontal fascia sign on the southern elevation is consistent with the approved strategy. The other proposed signs are not included in the approved strategy.

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MRS Zoning	:	Industrial
CPS 5 Zoning	:	Mixed Business
R-Code	:	R20/25
Use Type	:	Signage
Use Class	:	D

**Site Details**

Lot Area	:	3.97 ha
Retention of Existing Vegetation	:	Yes
Street Tree(s)	:	No
Street Furniture (drainage pits etc)	:	Yes, no conflict
Site Details	:	<a href="#">U08_0052_PROPERTY_MAP.pdf</a>

[U08\\_0052\\_April\\_2008.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 18 April 2008

**DETAIL****Development Requirements**

Not applicable.

**Setbacks**

Not applicable.

**PUBLIC CONSULTATION/COMMUNICATION**

Advertising Required: No

**REFERRALS TO GOVERNMENT AGENCIES**

Required: No

**STATUTORY AND LEGAL IMPLICATIONS**

The applicant may have the right to have the decision of the Council reviewed in accordance with Part 14 of the Planning and Development Act 2005.

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### **FINANCIAL IMPLICATIONS**

There are no anticipated financial implications.

### **STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

There are no anticipated strategic and risk management implications.

### **POLICY IMPLICATIONS**

28-pl-006 Mixed Business Precinct Additional Development Requirements

### **ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The Council could refuse the application and the applicant may have a right to have the decision of the Council reviewed in the State Administrative Tribunal.

### **COMMENT**

The Statement of Intent for the Mixed Business precinct is prescribed in Part 4 of the Community Planning Scheme No. 5 as.....*“an industrial area in transition to commercial use in accordance with the Local Commercial Strategy, accommodating retail uses of a bulky nature. Some residential use may occur. The amenity of the area is to be up-graded and attention given to landscaping all new development.”*

Tower and roof signs are prohibited and at the discretion other forms of signage may be approved.

Part 5 of the Community Planning Scheme No. 5 provides that ..... *“without limiting the generality of the matters which may be taken into account when making a decision upon an application for planning approval to erect, place or display an advertisement, the Council shall examine each such application in light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.”*

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Council Policy, with respect to advertising states:

- *“It is intended to prevent uncontrolled signage and to allow attractive, commercially viable advertising of consistent quality and relatively cohesive style.*
- *Verge signage is not supported.*
- *Signage is to be of a scale, design and construction so as to not adversely impact on the amenity of adjoining property, the locality or precinct.*
- *Uniform signage and combined signage for businesses sharing common or linked premises is encouraged.”*

In relation to character and amenity, land in close vicinity to the site is generally occupied by non-residential land uses. Advertising signage is visible in close vicinity to the site. The proposed signage is, generally, consistent in both scale and appearance with signage in close vicinity to the site.

In relation to traffic safety, Main Roads Western Australia have not been consulted in relation to the proposal because all proposed signs are located approximately 200 metres from Leach Highway and are partially screened from view on Leach Highway by the existing buildings on the site. The proposed signs will not have an adverse impact on either Leach Highway or McCoy Street because they either (a) cannot be seen or (b) are set well away from view.

The proposed signage does not require the removal of any approved landscaping.

There is no known historical significance on the site.

In relation to proposed Sign A, it is to be located on a sign panel consistent with the approved sign strategy, however that dedicated panel is well away from the entrance to the tenancy leased by the business “Fitness First.” Considering that advertising signage generally provides legibility, the proposed location is misleading. It is recommended that proposed Sign A be placed on the dedicated sign panel containing windows because this dedicated sign panel is the closest to the Fitness First entrance and on the portion of the existing building which is to be occupied by Fitness First.

## **CONCLUSION**

The proposed advertising signage complies with the CPS 5 provisions and are consistent with Council Policy.

It is recommended that the proposed signs be supported.

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**OFFICER RECOMMENDATION**

**APPROVAL**

THAT THE APPLICATION FOR PLANNING APPROVAL FOR ONE ILLUMINATED FASCIA SIGN, ONE ILLUMINATED HORIZONTAL SIGN AND ONE ILLUMINATED VERTICAL SIGN ON LOT 150 (274-280) LEACH HIGHWAY BOORAGOON BE APPROVED AND SUBJECT TO THE FOLLOWING:

**SPECIAL CONDITIONS:**

1. SIGN A BEING FIXED TO THE DEDICATED SIGN PANEL CONTAINING WINDOWS AS MARKED IN RED ON THE APPROVED PLANS.
2. THE MAXIMUM DIMENSIONS OF SIGN A BEING 2.4 METRES IN HEIGHT AND 10.5 METRES IN WIDTH.
2. THE APPROVED SIGNAGE BEING REMOVED UPON CESSATION OF THE BUSINESS, "FITNESS FIRST," ON THE SITE.

**STANDARD CONDITIONS:**

**NO STANDARD CONDITIONS**